

REMARKS

Claims 1, 2, and 4 through 37 are in the application. Claims 1, 10, 15, 24, 29, and 34 are the independent claims herein. No new matter has been added. Reconsideration and further examination are respectfully requested.

Claim Rejections

Claims 1, 2, 4 through 7, 10, 13 through 21 and 24 through 37 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent Publication No. 2003/0004853 ("Ram"). Claims 8, 9, 11, 12 and 22 through 23 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Ram in view of U.S. Patent No. 6,876,981 ("Berckmans") and further in view of the Office Action's Official Notice. Reconsideration and withdrawal of the rejections are respectfully requested.

§102 Rejections

Claims 1, 10, 15, 24, 29, and 34

As previously stated, amended independent claim 1 relates to a user interface. The interface comprises at least one option quote area presenting a plurality of option quotes and an order entry area comprising input areas for inputting two or more option orders. When one of the presented plurality of option quotes is selected, appropriate input areas of the order entry area are populated with an option order corresponding to the selected option quote.

The art of record cannot be seen to disclose or suggest the above-mentioned features of amended independent claim 1. In particular, the art of record cannot be seen to disclose or suggest that when one of a presented plurality of option quotes is selected, appropriate input areas of an order entry area are populated with an option order corresponding to the selected option quote.

The Final Office Action, on page 3, states Ram discloses that when one of a presented plurality of option quotes is selected, appropriate input areas of an order entry area are populated with an option order corresponding to the selected option quote. Specifically, the “examiner further asserts that this information is not solely in tabs 120 or 124 but also in tab 128”. Applicant respectfully disagrees.

Ram, at FIG. 12, displays a plurality of tab sets 124/120/128 etc. Tab sets 120 and 124 display securities data and tab set 128 includes a buy button, a sell button and a short button for buying, selling, or shorting securities. At paragraphs [0042] and [0043] Ram discloses that a display at a trader's location will display data for a selected security and, as illustrated in FIG. 12, the displayed data will be displayed in a tab set such as tab set 120 or tab set 124. However, nowhere do the aforementioned paragraphs disclose that by selecting a security in a first tab set (such as tab sets 120 or 124) will data be populated in a tab set that facilitates the ordering of securities, such as tab set 128. Thus, while the above-mentioned paragraphs disclose displaying a plurality of data, the paragraphs do not disclose populating data in an appropriate input area of an order entry area.

Furthermore, tab sets 120, 124, and 128 each disclose a symbol lookup field with an associated “go” button. However, if, as asserted in the Office Action, selecting a security in a first tab set (such as tab sets 120 or 124) would populate a tab set that facilitates the ordering of securities, such as tab set 128, then there would be no need for tab set 128 to have a symbol lookup field and respective “go” button.

Since tab set 128 comprises both a symbol lookup field and respective “go” button, and since Ram fails to otherwise disclose how option order information may be populated into tab set 128, Ram can in no way to be seen to disclose or suggest that when one of a presented plurality of option quotes is selected, appropriate input areas of an order entry area are populated with an option order corresponding to the selected option quote.

Accordingly, amended independent claim 1 and its related dependent claims are believed to be in condition for allowance.

Amended independent claims 10, 15, 24, 29, and 34 recite similar limitations as amended independent claim 1. Therefore, amended independent claims 10, 15, 24, 29, and 34 and their related dependent claims are believed to be in condition for allowance.

§103 Rejections

Claim 8

Dependent claim 8 discloses the user interface of Claim 1 where a presented option quote is associated with one of a plurality of brightness levels of a color. A level of brightness is determined based on a difference between a strike price of the presented option quote and a price of a security underlying the presented option quote.

The Office Action, on page 6, states that “Official Notice is taken” that determining a brightness level of color for ease of perception and processing of displayed information is “old and well known”. Applicant respectfully disagrees that brightness of a color based on a difference between a strike price of the presented option quote and a price of a security underlying the presented option quote is either old or well known.

As stated in M.P.E.P. 2144.03 (A) “[i]t would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known.”

Furthermore, “[i]f the examiner is relying on personal knowledge to support the finding of what is known in the art, the examiner must provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding.”

Therefore, Applicant respectfully traverses the rejection based on Official Notice and, as provided in M.P.E.P. 2144.03(A), requests documentary evidence in the next Office Action if the rejection is to be maintained.

CONCLUSION

The outstanding Office Action presents a number of characterizations regarding each of the applied references, some of which are not directly addressed herein because they are not related to the rejections of the independent claims. Applicant does not necessarily agree with the characterizations and reserve the right to further discuss those characterizations.

For at least the reasons given above, it is submitted that the entire application is in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience. Alternatively, if there remains any question regarding the present application or any of the cited references, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact the undersigned via telephone at (203) 972-4982.

Respectfully submitted,

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Date

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